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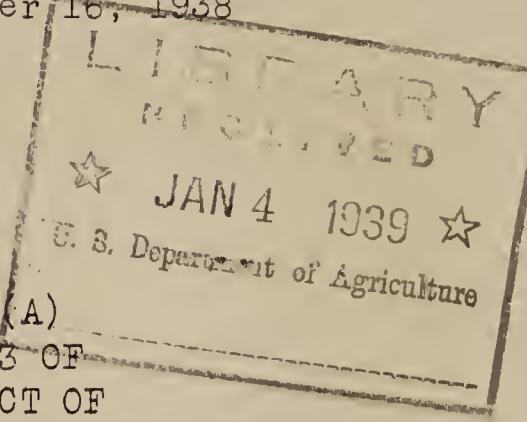
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Issued December 16, 1938

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
Washington, D. C.

AMENDMENT NO. 1 TO "REGULATIONS GOVERNING (A)
APPLICATIONS AND HEARINGS UNDER SECTION 363 OF
TITLE III OF THE AGRICULTURAL ADJUSTMENT ACT OF
1938, RELATING TO ADMINISTRATIVE REVIEW OF MAR-
KETING QUOTAS FOR TOBACCO, CORN, WHEAT, COTTON
AND RICE ESTABLISHED UNDER SAID TITLE AND (B)
THE PUBLICATION AND NOTICE OF SUCH QUOTAS UNDER
SECTION 362 OF SAID ACT (PUBLIC, NO. 430 - 75TH
CONGRESS - 52 STAT. 31, AS AMENDED)".



By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act of 1938, the above described regulations are hereby amended as follows:

Section 401 of Article IV is amended to read as follows:

"Section 401. Establishment.- Three eligible farmers shall be designated to serve on a review committee for a county, a group of counties, a community, or group of communities, and of the farmers so designated one shall be named chairman, and another vice-chairman, of such committee. In the absence of the chairman, the vice-chairman shall perform the duties and exercise the powers of the chairman and in the absence of both the chairman and the vice-chairman, the other regular member shall, as acting chairman, perform the duties and exercise the powers of the chairman. No review committee shall include any member of the county or community committee through which was determined any matter relating to any quota for the review of which the review committee is established. Subject to the provisions of this section and of section 400 of this article, the same farmer may be designated to serve on more than one review committee. Not more than three additional eligible farmers may be designated as alternate members of the committee, to serve in the event of the absence of any regular members thereof or in case of any vacancies in the committee, provided that not more than two such alternates may serve concurrently. The alternates shall be called upon for service in the order of their appointment except where a hearing will be unduly delayed by this procedure, the person acting as chairman may call upon the alternate who is the most readily available for service."

Section 502 of Article V is amended to read as follows:

"Section 502. Time and Place of hearing.- Such hearing shall be held at the time and place set forth in the notice of hearing, or in any subsequent notice amending or super-

sesing the prior notice, and also may without notice other than an announcement at the hearing by the chairman of the review committee, in the exercise of the discretion of the committee, be continued from day to day, or adjourned to a different place in the county or to a later date, or to a date and place to be fixed in a subsequent notice to be issued in the manner provided in sections 500 and 501 of this article. In the event a full committee of three is not present, those members present, or in the absence of the entire committee, the clerk, shall postpone the hearing; provided, however, that at the request, or with the consent of the applicant, a hearing conducted by two members of the committee, one of whom shall be a regular member, shall be deemed to be a regular hearing of the committee as to such case, and the determination made by such members shall constitute the determination of the review committee."

Section 503 of Article V is amended to read as follows:

"Section 503. Conduct and Scope of Hearing.— Except as otherwise provided in these regulations, every such hearing shall take place before the entire review committee and shall be presided over by the chairman thereof. The hearing shall be publicly conducted. The committee shall provide for the taking of such notes at the hearing as will enable it to make a written summary of the relevant evidence received at the hearing. A stenographic transcript of the testimony received shall be made if (a) the applicant requests such transcript and provides for the making thereof and for the payment of the expenses therefor, or (b) the State committee requests that such transcript be made. Immediately upon the completion of any such transcript made at the request of the applicant, three legible copies thereof shall be furnished to the review committee without charge. The committee shall consider only such matters as, under the applicable provisions of the act and regulations of the Secretary of Agriculture thereunder, are required to be considered by the county committee in the establishment of the quota sought to be reviewed. The review committee shall not give consideration to any evidence which is irrelevant to the determination of the quota for the applicant. The hearing shall be conducted in a manner determined by the committee to be conducive to the proper dispatch of business and the attainment of justice."

(SEAL)

Done at Washington, D. C.,
this 16th day of December, 1938.
Witness my hand and the seal of
the Department of Agriculture.

W. C. Wallace

Secretary of Agriculture